



GP1652

Docket No. 70281/55,986

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11/18/02**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: S. Yamamoto, et al. Group: 1652
Serial No. 09/879,257 Examiner: Fronda, Christian L.
Filed: June 12, 2001
For: HYBRID ENZYME AND USE THEREOF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231-0002 on October 30, 2002.


Mariah Moorhead

RESPONSE TO OFFICE ACTION

Applicants are in receipt of the Office Action dated September 30, 2002 of the above-identified application.

In response to the Restriction Requirement, Applicants provisionally elect Group VI, claims 14-19 and SEQ. ID NO. 6, with traverse.

Applicants respectfully request reconsideration of the Restriction Requirement. In particular, it is believed multiple groups would have substantially overlapping searches. In addition, significant time and expense would be saved for Applicant if multiple groups could be examined together. In this regard, Applicants request that Groups VI to XVI be considered at this time. The hybrid enzymes of Group VI are used for the reagents, methods and kits covered in Groups VII through XV. Therefore, Applicants respectfully request that these groups should be examined together.

Similarly, Group XVI (a gene coding for a hybrid enzyme) is necessary for production of Group VI and therefore, Applicants respectfully request that Group XVI be examined together with Group VI.

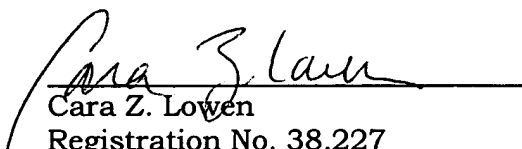
Furthermore, Applicants respectfully request that Group I also be examined with Groups II through V and XVII through XX. The hybrid enzyme of Group I is used in the reagents, kits and methods of Groups II through V and is related to the enzymes and genes in Groups XVII through XX.

Group I and Group VI are related to each other when the enzyme is glucose-6-phosphate dehydrogenase with a peptide containing an amino acid sequence of SEQ NO: 1 inserted or substituted inserted into the enzyme. Therefore, Applicants respectfully request that Group I and Group VI be examined in one application.

The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter of the application. Applicants reserve the right to file divisional application(s) on the non-elected claims.

Respectfully submitted,

Date: October 30, 2002
317379


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